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REMARKS

This is in full and timely response to the non-final Office Action mailed on April 9, 2006.

Claim 1-10, 13-19, 25-26, and 28 are currently pending in this application, with claims 1 and 13 being independent.

No new matter has been added.

Reexamination in light of the following remarks is respectfully requested.

Claim objections

In response to the claim objections found within paragraph 3 of the Office Action, the claims have been amended in the manner requested. Appreciation is expressed for the helpful suggestions.

Withdrawal of this objection along with the allowance of the claims is respectfully requested.

Rejection under 35 U.S.C. §112, first paragraph

Paragraph 5 of the Office Action indicates a rejection of claims 1, 11, 13, 26, and 28 under 35 U.S.C. §112, first paragraph.

This rejection is traversed at least for the following reasons.

As a rule, “the purpose of the ‘written description’ requirement is broader than to merely explain how to ‘make and use’; the applicant must also convey with reasonable clarity to those skilled in the art that, as of the filing date sought, he or she was in possession of the invention.” *Vas-Cath Inc. v. Mahurkar*, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991). See also M.P.E.P §2163.02. “How the specification accomplishes this is not material. It is not necessary that the application describe the claim limitations exactly, but only so clearly that persons of ordinary skill in the art will recognize from the disclosure that the [Applicant] invented [the claimed invention]. The primary consideration is factual and depends on the nature of the invention and the amount of knowledge imparted to those skilled in the art by the disclosure.” (Citations Omitted, emphasis added). *In re Wertheim*, 262, 191 USPQ 90, 96 (CCPA 1976).

“The applicant does not have to utilize any particular form of disclosure to describe the subject matter claimed.” *In re Alton*, 37 USPQ2d 1578, 1581 (Fed. Cir. 1996). “The invention is, for purposes of the ‘written description’ inquiry, whatever is *now claimed*” (emphasis added). *Vas-Cath Inc. v. Mahurkar*, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991).

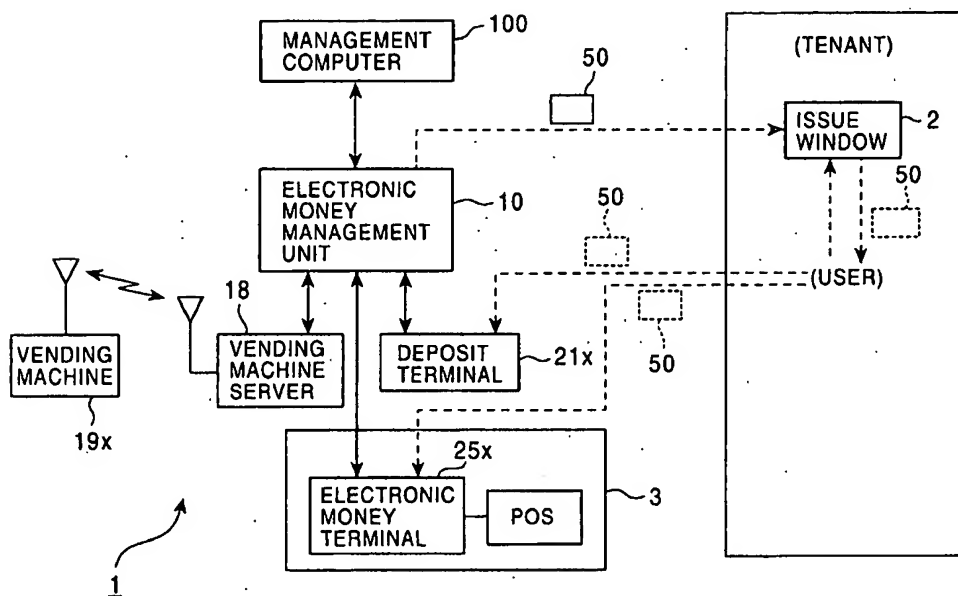
Furthermore, an applicant for patent is entitled to select the claim language as long as the meaning is reasonably plain and specific. *Ellipse Corporation v. Ford Motor Company*, 312 F.Supp. 646, 660, 164 USPQ 161, 171 (N.D. Ill. 1969). The plain meaning of claims language is entitled to a strong presumption that it correctly expresses the scope of the claim. *In re Certain Thermometer Sheath Packages*, 205 USPQ 932, 941 (ITC 1979).

“A patentee can be his own lexicographer provided the patentee's definition, to the extent it differs from the conventional definition, is clearly set forth in the specification.” *Beachcombers v. Wildewood Creative Prods., Inc.*, 31 USPQ2d 1653, 1656 (Fed. Cir. 1994). “For claim construction purposes, the description may act as a sort of dictionary, which explains the invention and may define terms used in the claims.” *General Electric Co. v. Nintendo Co.*, 50 USPQ2d 1910, 1914 (Fed. Cir. 1999).

The following description is provided for illustrative purposes and is not intended to limit the scope of the invention.

Attached below is Figure 1 of the specification as originally filed.

FIG. 1



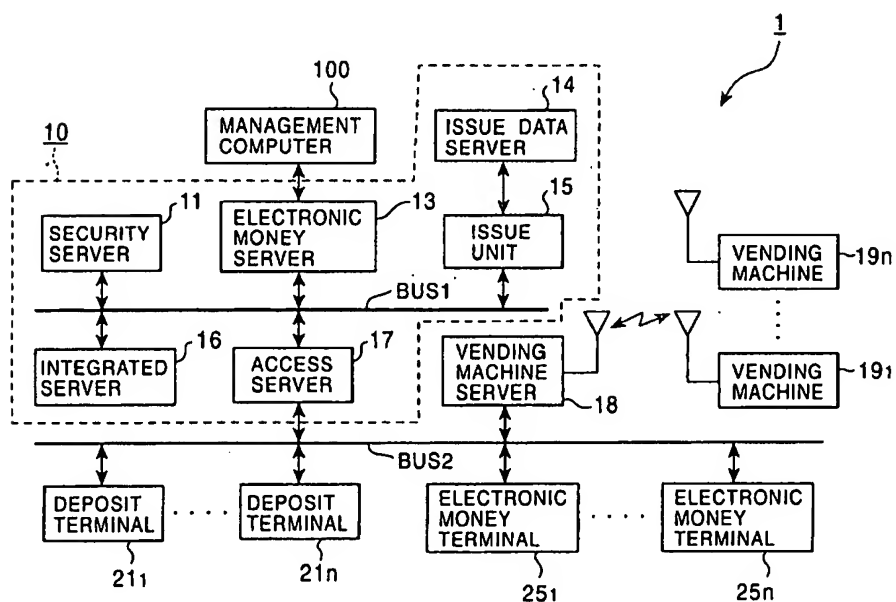
The specification as originally filed beginning at page 8, line 13, provides the following:

Referring now to FIG. 1, an electronic money system generally denoted by reference numeral 1 has the following components: an electronic money management unit 10 serving to issue IC cards 50 while managing electronic money and settling and clearing the electronic money account; a plurality of deposit terminals 21_x that are used to deposit electronic money (money data) into IC cards 50; a plurality of electronic money terminals 25_x located at outlets 3, for accepting payment from users through the IC cards 50 on which electronic money is held; vending machines 19 which sell commercial items to users when paid by means of the IC cards 50; and a

vending machine server 18 which stores data from the vending machines, concerning the reports of uses of the IC cards 50, such as monetary amounts of transactions, and dates and times.

Attached below is Figure 2 of the specification as originally filed.

FIG. 2



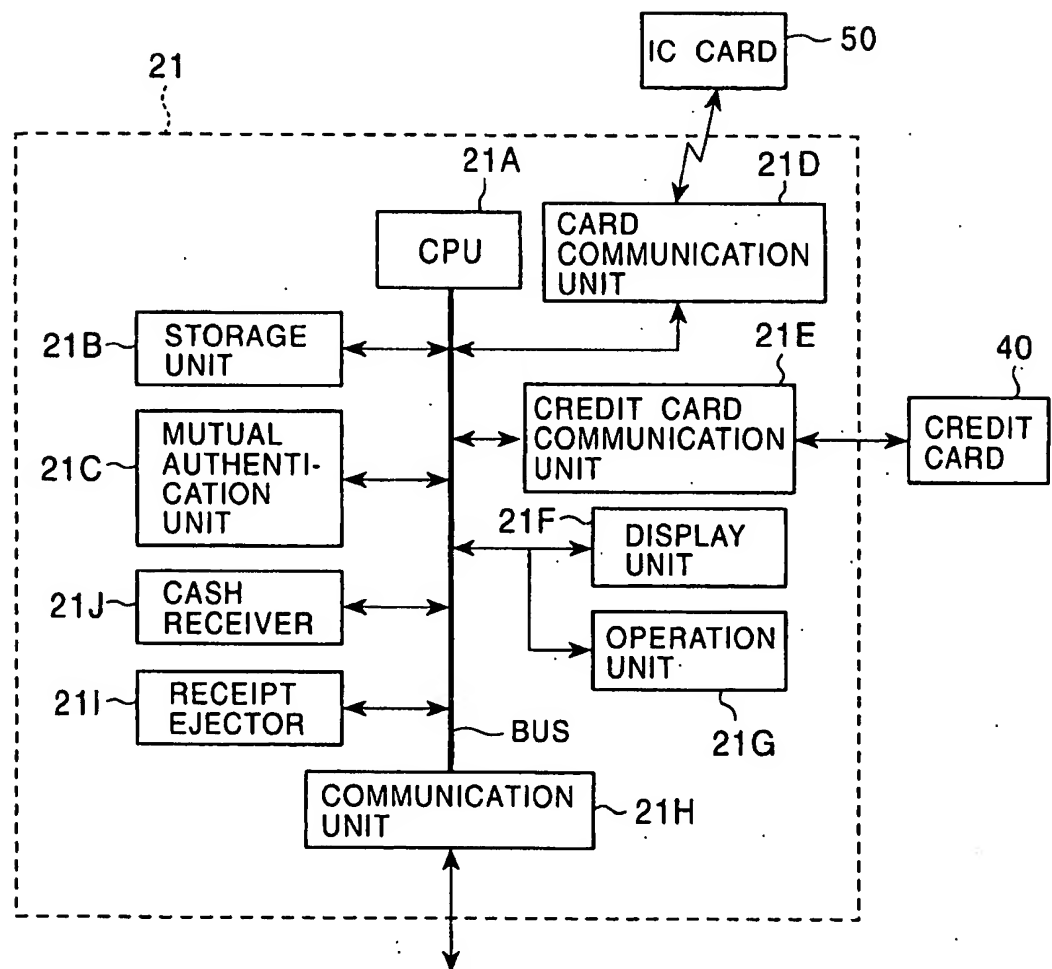
The specification as originally filed beginning at page 9, line 4, provides the following:

Referring now to FIG. 2, the electronic money management unit 10 in the electronic money system 1 includes a security server 11, an electronic money server 13, an issue data server 14, an issue unit 15, an integrated server 16, and an access server 17. These servers are connected to one another through a data bus BUS1, forming a first LAN (Local Area Network). Also, deposit terminals 21₁ to 21_n, electronic money terminals 25₁ to 25_n, and the vending machine server 18 linked to the vending machines 19₁ to 19_n are connected to one another through a data bus BUS2, forming

a second LAN. The first and second LANs are connected to each other via the access server 17.

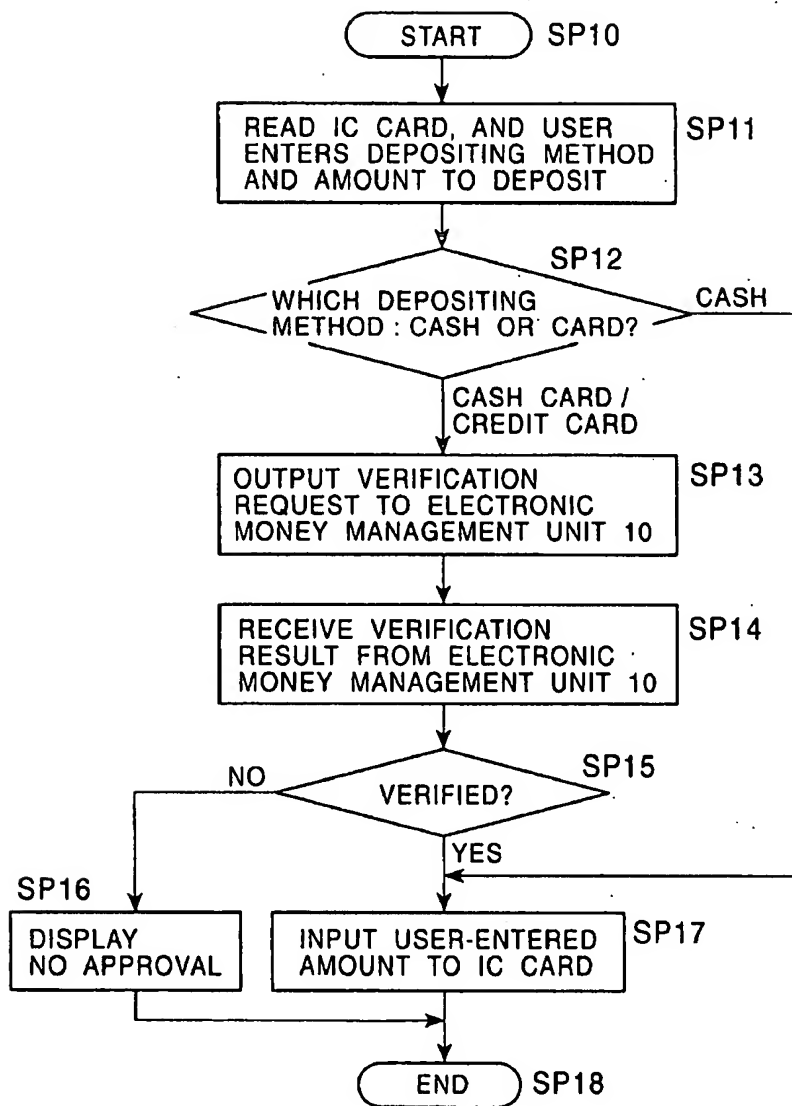
Attached below is Figure 9 of the specification as originally filed.

FIG. 9



Attached below is Figure 10 of the specification as originally filed.

FIG. 10



The specification as originally filed beginning at page 16, line 10, provides the following:

Referring to FIG. 9, a CPU 21A in a deposit terminal 21_x performs a deposit processing routine as shown in FIG. 10 according to a particular program stored in a storage unit 21B. When the user brings an IC card 50 close to the card communication unit 21D and initiates a deposit via the operation unit 21G, the CPU 21A starts the deposit processing routine (step SP10 shown in FIG. 10). The routine then proceeds to step SP11 to read out from the IC card 50 a set of information including the card number and to prompt the user to select depositing method via the operation unit 21G.

The specification as originally filed beginning at page 16, line 21, provides the following:

If the user selects deposit by means of cash (hereinafter referred to as the first depositing method), the CPU 21A opens the cash receiver 21J for the user to throw cash therein. When the user has thrown cash in the cash receiver 21J, the CPU 21A counts the amount of received cash.

The specification as originally filed beginning at page 17, line 2, provides the following:

If the user selects deposit by means of cash card/credit card 40 (hereinafter referred to as the second depositing method), the CPU 21A prompts the user with a message on the display unit 21 to insert a cash card/credit card 40 into the credit card communication unit 21E and to specify the amount to deposit. Accordingly, the user specifies a desired sum to be deposited via the operation unit 21G.

The specification as originally filed beginning at page 17, line 10, provides the following:

When the first depositing method has been selected by the user, the routine skips from step SP12 to step SP17. In step SP17, the CPU 21A informs, via the card communication unit 21D, the IC card 50 of the amount of cash which has been thrown into the cash receiver 21J by the user. At this time, data indicating the cash amount is also transmitted via the communication unit 21H to the integrated server 16 of the electronic management unit 10, and is then stored therein. Thus, the control unit 59 of the IC card 50 adds electronic money value according to the received cash amount data to the balance of the electronic money value stored in RAM 58, thereby updating the balance data D22 (shown in FIG. 7B) indicating the electronic money balance.

The specification as originally filed beginning at page 17, line 23, provides the following:

Alternatively, when the user has selected the second depositing method, the CPU 21A proceeds with the routine from step SP12 to step SP13. In step SP13, the CPU 21A reads the magnetic stripe of the cash card/credit card 40 which has been inserted into the credit card communication unit 21E to identify the number of that particular cash card/credit card. The CPU 21A then transmits via communication unit 21H to the electronic money management unit (shown in FIG. 1) the number of the cash card/credit card 40, the PIN (personal identification number) for the cash card/credit card 40 which has been entered by the user via the operating unit 21G, a verification request for the cash card/credit card 40 and the requested transaction/credit amount. At this time, the mutual authentication unit 21C of the deposit terminal 21_x verifies that the destination of the transmission from the CPU 21A is a legitimate one.

Thus, the applicant was in possession of the invention as of the filing date, and the invention was sufficiently disclosed through illustrative examples and terminology to teach the skilled artisan how to make and how to use the invention. The requirements of 35 U.S.C. §112, first paragraph, have been realized within the above-identified application.

Before repeating the rejection within a subsequent Office Action, section 2163(III)(B) of the M.P.E.P. compels the review of the basis for the written description rejection in view of the record as a whole, including amendments, arguments, and any evidence submitted by applicant.

If the whole record now demonstrates that the written description requirement is satisfied, section 2163(III)(B) of the M.P.E.P. further instructs that the written description rejection should not be repeated within the next Office Action.

But if the written description rejection is repeated, section 2163(III)(B) of the M.P.E.P. additionally provides that the Office Action should include a full response to the Applicant's rebuttal arguments, and should also include proper treatment of any further showings submitted by applicant in the reply.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Allowable subject matter

Appreciation is expressed for the indication within paragraph 10 that claims 1-10, 13-19, 25-26, and 28 contain allowable subject matter.

Allowance of the claims is respectfully requested.

Double patenting rejection

Paragraph 7 of the Office Action indicates that claims 20-24 have been rejected on the ground of non-statutory obviousness-type double patenting as allegedly being unpatentable over claim 1 of U.S. Patent No. 6,764,001.

This rejection is traversed at least for the following reasons.

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claims 20-24 have been canceled.

Withdrawal of this rejection is respectfully requested.

Claim rejections

Paragraph 9 of the Office Action indicates that claims 13-24, 27, and 29-32 are rejected under 35 U.S.C. §102 as allegedly being anticipated by U.S. Patent No. 4,114,027 to Slater et al.

At least for the following reasons, if the allowance of the claims is not forthcoming at the very least and a new ground of rejection made, then a **new non-final Office Action** is respectfully requested.

This rejection is traversed at least for the following reasons.

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claims 11-12, 20-24, 27, and 29-32 have been canceled.

Furthermore, paragraph 9 of the Office Action indicates a rejection of claims 13-19 while paragraph 10 of the Office Action indicates allowable subject matter within claims 13-19. Clarification is respectfully requested.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Conclusion

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of the amendments and remarks is courteously solicited.

Extensions of time

Please treat any concurrent or future reply, requiring a petition for an extension of time under 37 C.F.R. §1.136, as incorporating a petition for extension of time for the appropriate length of time.

Fees

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753.

Dated: July 6, 2007

Respectfully submitted,

By 

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Attorney for Applicant